

CORRECTED NOTICE OF PUBLIC AND EVIDENTIARY HEARINGS

Issued: October 19, 2016

In the Matter of the Application of Minnesota Energy Resources Corporation for a Route Permit for the Rochester Natural Gas Pipeline Project in Olmsted County

Public Utilities Commission (PUC) Docket Number: G-011/GP-15-858

Office of Administrative Hearing (OAH) Docket Number: 8-2500-33180

PUBLIC AND EVIDENTIARY HEARING SCHEDULE

DATE	TIME	LOCATION
Public Hearing Wednesday, November 9, 2016	1:00 P.M.	Centerstone Plaza Hotel 401 6 th Street SW Rochester, MN 55905
Public and Evidentiary Hearing Wednesday, November 9, 2016	6:00 P.M.	Centerstone Plaza Hotel 401 6 th Street SW Rochester, MN 55905
Evidentiary Hearing Thursday, November 10, 2016	8:30 A.M.	Lower Level Hearing Room- 121 East 7 th Place East, St. Paul, MN 55101
<i>The Nov. 10 Evidentiary Hearing will be cancelled if parties have concluded their testimony and cross-examination at the Nov. 9 hearing. Call 651-201-2257 for an Update.</i>		

When the hearings convene, the public is allowed to provide verbal comments and written submissions, and/or ask questions of witnesses.

Project Description

Minnesota Energy Resources Corporation (MERC) proposes to construct approximately 13-14 miles of new natural gas pipeline and associated facilities west and south the City of Rochester in Olmsted County. The proposed project will also include construction of town border stations and a district regulator station. These stations will serve to lower the pressure of the natural gas for delivery to the local distribution system.

If the project is granted a route permit by the Minnesota Public Utilities Commission (Commission), MERC would need to acquire property easements from private landowners within the approved route before it can begin construction. The proposed project will require a permanent right-of-way of 50 feet and an additional temporary right-of-way of 50 feet to be used only during project construction. The permanent right-of-way would provide sufficient space to perform pipeline maintenance and inspections.

If the Commission issues a route permit, MERC will be authorized to use the power of eminent domain to acquire land for this project under Minnesota law (Minn. Stat. § 117.48). A fact sheet developed by the Minnesota Department of Commerce (DOC) to inform landowners of their rights in negotiating easement agreements and explaining the process by which pipeline companies obtain rights-of-way for new energy facilities is available here: [ROW and Easement Fact Sheet](#).

Public Comment Period

Written comments will be accepted through **November 21, 2016 at 4:30 p.m.** Please include the Commission's docket number (15-858) in all communications.

Online Visit mn.gov/puc, select *Speak Up!*, find this docket, and add your comments to the discussion.

If you wish to include an exhibit, map or other attachment, please send your comments via U.S. Mail or eFiling.

U.S. Mail Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul MN 55101.

eFiling Visit mn.gov/puc, select *eFiling*, and follow the prompts.

Important Comments will be made available to the public via the Public Utilities Commission's website. The Commission does not edit or delete personal identifying information from submissions.

Public and Evidentiary Hearing Procedure

The purpose of the hearing is to compile the record for the Commission to consider in making a final decision on the pipeline route permit application. The hearing will be conducted in accordance with Minn. Stat. §§ 14.57 to 14.62; Minn. R. 1405.0200 to 1405.2800; and, to the extent they are not superseded, Minn. R. 7829.0100 to 7829.3200. The applicable statutes and rules are available on the Office of the Revisor of Statutes webpage at: <https://www.revisor.leg.state.mn.us>.

- The Hearings start on time.
- Arrive a few minutes early so you have time to sign in, pick up materials, and find a seat.
- Administrative Law Judge Eric L. Lipman presides over the public hearings on behalf of the Commission.
- Commission, DOC, and MERC staff members are available to answer questions about the permitting process and the project.
- You may add verbal comments, written comments, or both into the record.

At the start of each hearing, the ALJ will explain the procedural rules for the hearing, including the sequence for providing testimony and questioning witnesses. The deadline for intervention as a party to the proceeding expired on September 29, 2016; However members of the public will be allowed to participate without the necessity of intervening as a party. Participation may include offering testimony or evidence and questioning witnesses. Representation by legal counsel is permitted, but not required.

Any person who wishes to question a witness, but does not want to ask the questions, may submit questions in writing to the ALJ, who will then question the witness. Questions may be submitted during the hearing or may be sent to the ALJ in advance of the hearing.

The hearings will continue until all persons have had the opportunity to offer testimony and ask questions. The hearings may conclude earlier where all attendees have had the opportunity to comment and all other business has been concluded. The administrative law judge may elect to recess the hearing and set additional days for hearing, if necessary.

Process Information

The Public Utilities Commission must approve a route permit before the project can be built. The pipeline route permit application is being reviewed in accordance with Minnesota Statutes Chapter 216G.02 and Minnesota Rules Chapter 7852.

The Minnesota Department of Commerce (Commerce) has prepared a comparative environmental analysis for the project that reviews the potential human and environmental impacts of the project and alternatives, as well as ways to address impacts. The comparative environmental analysis is available online at: <http://mn.gov/commerce/energyfacilities//resource.html?Id=34555>.

Information gathered at the public hearing and during the comment period will be used by the administrative law judge to write a report for the Commission. The report will include findings of fact, conclusions of law and recommendations on the merits of the project, a preferred route alternative, and conditions or provisions for the proposed route permit. In addition, the administrative law judge's report will include all evidence properly submitted into the record for the case, including public comments. After receiving the report, the Commission will make a final decision on the permit at a separate meeting, anticipated in March 2017.

Parties and Witnesses

Minnesota Energy Resources Corporation and Northern Natural Gas are the only parties to the proceeding. The Department of Commerce, although not a party, will provide testimony and be available to answer questions.

- MERC Witnesses: Amber S. Lee, Linday K. Lyle, and Rick J. Mosher
- DOC Staff: Larry B. Hartman, and Andrew Levi

For Additional Information

Full Case Record: All documents filed in this matter are available at mn.gov/puc: select *eDockets*, enter the year (15) and the docket number (858), select *Search*.

Subscribe to the Docket: To receive email notifications when new documents are filed in this matter visit mn.gov/puc, select *Subscribe*, and follow the prompts.

Community Locations: The site permit application, the comparative environmental analysis and other record materials will be available at:

- Rochester Public Library, 101 2nd Street SE, Rochester, MN 55905
- Rochester Township Hall, 4111 SW 11th Avenue, Rochester, MN 55905

Contacts

Minnesota Office of Administrative Hearings

Administrative Law Judge Eric L. Lipman, 600 N. Robert Street, St. Paul, MN 55164-0620

Minnesota Public Utilities Commission

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Northern Natural Gas

Eric. F Swanson, Counsel (Winthrop & Weinstein P.A) - 612-604-6511 or eswanson@winthrop.com

Bad Weather: Find out if a hearing is canceled. Call (toll-free) 1-855-731-6208 or 651-201-2213 or visit mn.gov/puc.

If any reasonable accommodation is needed to enable you to fully participate in these meetings (e.g., sign language or large print materials), please contact the Office of Administrative Hearings at 651-361-7000 (voice) or 651-361-7878 (TTY) at least one week in advance of the meeting.

This document can be made available in alternative formats (e.g., large print or audio) by calling 651-296-0406 (voice). Persons with hearing loss or speech disabilities may call us through their preferred Telecommunications Relay Service.

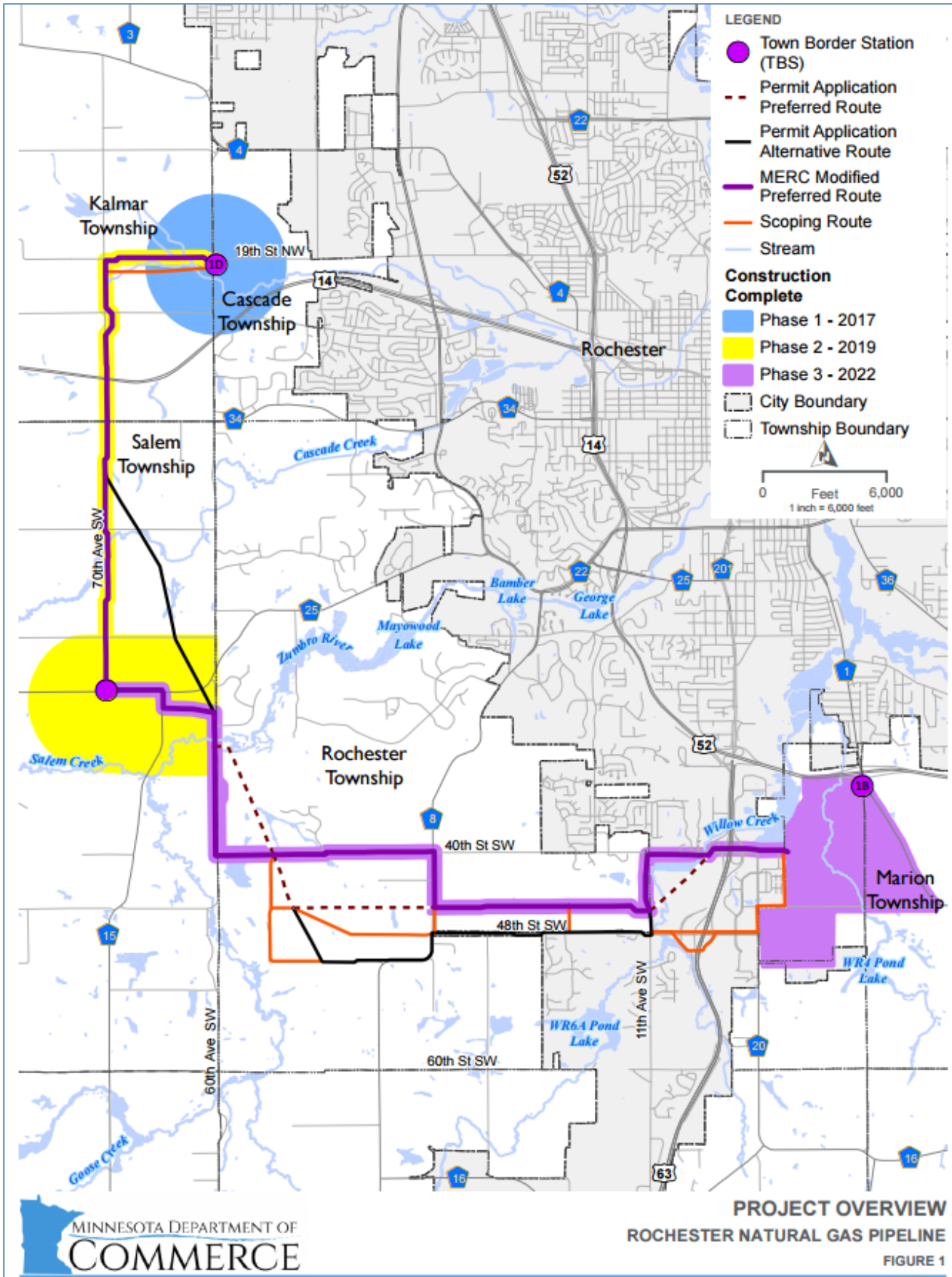


Figure 1 from DOC EERA Landowner Letter Doc. ID 20169-124695-01 – eFiled on 9/9/2016